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PATENT
ATTORNEY DOCKET NO.: 040894-7191

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Itaru HOMMA et al.) Confirmation No.: 3155
Application No.: 10/526,669) Group Art Unit: 1745
Filed: October 26, 2005) Examiner: Mark Ruthkosky

For: **CARBON FINE POWDER COATED WITH METAL OXIDE, METAL NITRIDE
OR METAL CARBIDE, PROCESS FOR PRODUCING THE SAME, AND
SUPERCAPACITOR AND SECONDARY BATTERY USING THE CARBON
FINE POWDER**

Commissioner for Patents
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement (IDS) is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

The documents listed were cited in an International Search Report dated January 13, 2004. A copy of Japanese Patent Publication No. JP 2000-219507 is attached. The relevance of this document can be understood from the International Search Report, the attached English-language Abstract, and the figures therein. The documents cited in the International Search Report, but not listed in this IDS are already of record in this application.

This submission does not represent that a search has been made or that no better art exists, and does not constitute an admission that any of the listed documents are material or

constitute "Prior Art." If it should be determined that any of the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should the document be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 12, 2006

By:



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LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary) PTO Form 1449

ATTY DOCKET NO.

040894-7191

APPLICATION NO

10/526,669

APPLICANT

Itaru HOMMA et al.

FILING DATE

October 26, 2005

GROUP

1745

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	6,339,528	1/15/2002	Lee et al.	361	502	
	A02						
	A03						
	A04						
	A05						
	A06						
	A07						
	A08						
	A09						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	JP 2000-219507	8/8/2000	Japan			Abstract	
	B02							
	B03							
	B04							
	B05							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	C01	
	C02	
	C03	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.